

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

2100632-991113

First Inventor

Janet Wasowicz

Title

Adaptive Audioty and Phonological Apparatus and Me

Express Mail Label

EV 324950445 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents
Mail Stop Patent Application
P. O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)

2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.

3. ☒ Specification [Total Pages 22]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]

5. Oath or Declaration [Total Pages 3]

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:

- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper

c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney

11. ☐ English Translation Document (if applicable)

12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations

13. ☒ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17. ☒ Other: Check # 539479 for \$673.00; Express Mail Cert. No. EV324950445US; Rtn. postcard;

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/685,163

Prior application information: Examiner Chanda Harris

Group / Art Unit: 3714

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

(Insert Customer No. or Attach Bar Code Label Here)

or ☐ Correspondence address below

Name Timothy W. Lohse
GRAY CARY WARE & FREIDENRICH LLP TRADEMARK OFFICE

Address 1755 Embarcadero Road

City Palo Alto State California Zip Code 94303

Country United States Telephone 650-320-7449 Fax 650-320-7401

Name (Print/Type) Timothy W. Lohse

Registration No. (Attorney/Agent) 35,255

Signature Timothy W. Lohse

Date June 26, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

16018 U.S. PTO
10/609445
06/26/03

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$673.00

Complete if Known

Application Number	To Be Assigned
Filing Date	June 25, 2003
First Named Inventor	Janet Wasowicz
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	2100632-991113

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit
Account
Number

07-1896

Deposit
Account
Name

Gray Cary Ware & Freidenrich

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	375.00
1002	330	2002	165	Design filing	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND

Total Claims		Extra Claims		Fee from below		Fee Paid
	30	-20** =	10	X	9.00	90.00
Independent Claims	7	-3** =	4	X	42.00	168.00
Multiple Dependent						

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) \$258.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non - English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \$40.00

SUBMITTED BY

Name (Print/Type)

Timothy W. Lohse

Registration No.
(Attorney/Agent)

35,255

Complete (if applicable)

Telephone

650-320-7426

Signature

Date

June 26, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

06/26/03
16638 U.S. PTO

Attorney Docket No. 2100632-991113

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Janet Wasowicz

Serial No.: To Be Assigned

Group Art Unit: To Be Assigned

Filed: June 25, 2003

Examiner: To Be Assigned

Title: ADAPTIVE AUDITORY AND PHONOLOGICAL APPARATUS
AND METHOD

EXPRESS MAIL NO.: EV324950445US

Date of Deposit June 26 2003

I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Cathy Pittman

TRANSMITTAL OF CONTINUATION APPLICATION AND PRELIMINARY AMENDMENT

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir/Madam:

Applicant hereby respectfully submits the enclosed

[X] Continuation application under 37 CFR §1.53(b), of prior application Serial No. 09/685,163 filed on October 5, 2000 which is a continuation of application serial no. 09/039,194 filed on March 13, 1998.

[] Divisional

entitled: ADAPTIVE AUDITORY AND PHONOLOGICAL APPARATUS AND METHOD

1. Copy of Prior Application as Filed Which is Attached

- ☒ The undersigned hereby verifies that the attached papers are a true copy of the above-identified prior application, including the oath or declaration originally filed (37 CFR 1.53(b)).

The copy of the papers of prior application as filed which are attached hereto are as follows:

- ☒ 18 pages of specification
☒ 3 pages of claims
☒ 1 page of abstract
☒ 3 sheet(s) of drawings
☒ 3 pages of Declaration and power of attorney;
☒ 5 pages of Assignment ;

2. Amendments

- ☒ Cancel in this application original claims 1-9 of the prior application before calculating the filing fee and add new claims 10-39.
- ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

3. Fee Calculation (37 CFR 1.16)

CLAIMS AS FILED

(1) For	(2) Number filed	(3) Number extra	(4) Large Entity Rate	(5) Small Entity Rate	(6) Calculations
Basic Filing Fee	XXXXXXXX	XXXXXXXX	\$750.00	\$ 375.00	\$ 375.00
Total Claims	30 - 20 =	10	X \$ 18.00	X \$ 9.00	\$ 90.00
Independent Claims	7 - 3 =	4	X \$ 84.00	X \$ 42.00	\$ 168.00
Multiple Dependent Claim(s) (if applicable)			\$ 280.00	\$ 140.00	\$ 0
Total of above Calculations =					\$ 633.00
			Other: Assignment		\$ 40.00
			TOTAL FEE		\$ 673.00

4. Inventorship Statement

With respect to the prior copending U.S. application from which this application claims benefit under 35 U.S.C. 120, the inventor(s) in this application are:

- ☒ the same;
- ☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted;
- ☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is being filed herewith.

5. Assignment

- ☒ The prior application is assigned of record to Cognitive Concepts, Inc. A copy of the recorded assignment is enclosed.

6. Fee Payment Being Made At This Time

- ☒ Check No. 539479 in the amount of \$673.00 is enclosed.

7. Authorization To Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge any underpayments or debit any overpayments which may be required by this paper and during the entire pendency of the application to Account No. 07-1896:

8. Power of Attorney

- ☒ The power of attorney in the prior application is to

☐ The following names:

☒ All names associated with Customer Number:

Gray Cary Ware & Freidenrich LLP
1755 Embarcadero Road
Palo Alto, CA 94303-3340



26379

PATENT TRADEMARK OFFICE

- ☒ All future correspondence should be addressed to:

Timothy W. Lohse
GRAY CARY WARE & FREIDENRICH LLP
1755 Embarcadero Road
Palo Alto, CA 94303

9. Abandonment of Prior Application (if applicable)

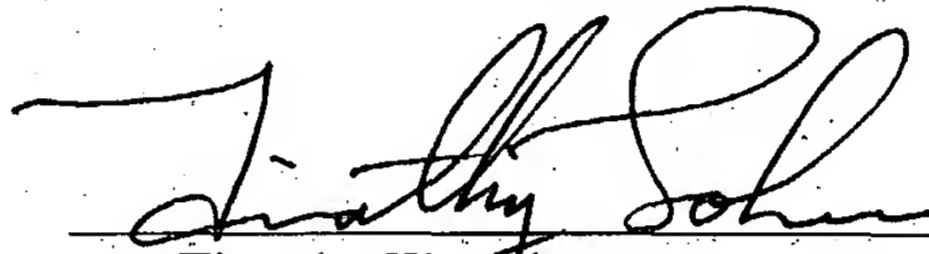
- ☒ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

10. Formal Drawings

- ☒ At this time, Applicant is filing the formal drawings for this continuation application under separate cover.

Respectfully submitted,

Dated: June 26, 2003



Timothy W. Eohse
Reg. No.: 35,255
Attorney for Assignee

GRAY CARY WARE & FREIDENRICH LLP
1755 Embarcadero Road
Palo Alto, CA 94303
Telephone: (650) 320-7426
Facsimile: (650) 320-7401

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Janet Wasowicz**

Docket No.

2100632-991113

Serial No.

To Be Assigned

Filing Date

June 25, 2003

Examiner

To Be Assigned

Group Art Unit

To Be Assigned

Invention:

ADAPTIVE AUDITORY AND PHONOLOGICAL APPARATUS AND METHOD

I hereby certify that the following correspondence:

**Utility Patent Application Transmittal; ContinuationApp. Transmittal Ltr; Prior App'n copies: 1)Specification;
2)Declaration; 3)Assignment papers; Preliminary Amendment; IDS/PTO Form 1449; IDS Ref's; Fee Transmittal
w/check for \$673; Express Mail Cert. No. EV324950445US; Return postcard;**

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37
CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 25, 2003
(Date)

Cathy Pittman*(Typed or Printed Name of Person Mailing Correspondence)*


(Signature of Person Mailing Correspondence)

EV 324950445 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**